

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 19, 1997

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Masterson, J.,
Dunn, J. (Assigned) and V. Salas, Deputy Clerk.

B108815 Cios
 v.
 Antelope Valley Community College District

Merits:
Argued by Lawrence Rosenaweig for appellant and by Christine M.
Wagner for respondent. Cause submitted.

B107320 Borys
 v.
 County of Los Angeles

Merits:
Argued by Calvin House for appellant and by Brian Brown for respondent.
Cause submitted.

B108453 Warren
 v.
 Warren

Merits:
Argued by Paula Warren, appellant in propria persona, and respondent
having waived oral argument. Cause submitted.

DIVISION ONE (Continued)

B100168 Jones, et al.
v.
Hafif

Merits:

Argued by Wendy Lascher for appellant and by Ronald C. Stock for respondent. Cause submitted.

B104182 The People v. Gross
B113365 In re Gross on Habeas Corpus

Merits:

Argued by Meredith J. Watts for appellant and by Alan Tate, Deputy Attorney General, for respondent. Cause submitted.

B111987 Calhoun
v.
American Savings Bank, FA

Merits:

Argued by Karen Dinino for appellant and by Anthony Stuart for respondent. Cause submitted.

B090082 The People v. Montero
B114958 In re Montero on Habeas Corpus

Merits:

Argued by Mary Holbrook for appellant and by Margaret E. Maxwell, Deputy Attorney General, for respondent. Cause submitted.

DIVISION ONE (Continued)

B105315 The People
 v.
 Square & Jones

Merits:

Argued by Gregory R. Ellis for appellant Square, Richard Jay Moller for appellant Jones and by Corey J. Robins, Deputy Attorney General, for respondent. Cause submitted.

B107965 Chang
 v.
 California Journal of Los Angeles, Inc., et al.

Merits:

Argued by Victor Wightman for appellant and by Yunhee Lee for respondents. Cause submitted.

B100313 The People v. Walden
B114707 In re Walden on Habeas Corpus

Merits:

Argued by Melissa Hill for appellant and by David L. Polsky, Deputy Attorney General, for respondent. Cause submitted.

B101412 O'Connor
 v.
 O'Connor

Merits:

Argued by Stephen Kolodny for appellant and by Glenn S. Buzard for respondent. Cause submitted.

DIVISION ONE (Continued)

B108902 Los Angeles County MTA

v.

Shea-Kiewit-Kenny

Merits:

Argued by Brad D. Brian for appellant and by Elwood Lui for respondent.
Cause submitted.

B114725 Urban Pacific Equities Corp., et al.

v.

S.C.L.A.

(Steiner & Libo, et al., r.p.i.)

Merits:

Argued by Daniel J. O'Connell for petitioners and by Edith R. Matthai and
by Alan B. Nishimura, for real parties in interest. Cause submitted.

Presiding Justice Spencer and Justice Vogel leave the bench.

B100266 Urso

v.

Pearlstone

Merits:

Argued by John Urso, in propria persona and by John Caron for respondent.
Cause submitted.

B107916 Los Angeles Scrap Iron & Metal Corp.

v.

Courtaulds Aerospace, Inc., et al.

Merits:

Argued by Timothy D. McCollum for appellant and by Carlos Solis for
respondent Courtaulds and Richard D. Hall for respondent Gibson, Dunn &
Crutcher. Cause submitted.

Court adjourned.

November 19, 1997-Continued

DIVISION ONE (Continued)

B094165 People (Not for Publication)
v.
Carter et al.

The judgments are affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Dunn, J. (Assigned)

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Masterson, J.

B109796 People (Not for Publication)
v.
Bell

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Dunn, J. (Assigned)

November 19, 1997-Continued

DIVISION ONE (Continued)

[illegible]

The order is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION THREE

B101729 Malolepszy (Not for Publication)
v.
Malolepszy

Order affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Aranda, J. (Assigned)

B099868 Torres, et al. (Not for Publication)
v.
Chavez, et al.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

November 19, 1997-Continued

DIVISION THREE (Continued)

B095644 Delong (Not for Publication)

V.
City of Redondo Beach, et al.

Orders of dismissal affirmed. Respondents are awarded costs of appeal.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B110710 People (Not for Publication)

v.
Virgin

The Court:

The judgment is affirmed.

Croskey, Acting P.J., Kitching, J., Aldrich, J.

DIVISION FOUR

B108328 People (Certified for Publication)

v.
Lee

The judgment is affirmed.

Baron, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B098724 Michelson

v.
Hamada

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

DIVISION FOUR (Continued)

B089458 People (Not for Publication)
B090129 v.
Scott, Jr.

The judgment is reversed as to count 2, receiving or selling stolen property (Pen. Code, § 496). It is affirmed in all other respects. The sentence of eight years, four months is vacated and the matter is remanded for resentencing.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FIVE

B104478 Loretta Steele (Certified for Partial Publication)
v.
Jensen Instrument Company et al.

The judgment and post-judgment order awarding costs are affirmed. Respondents Jensen Instrument Company, Tim Campbell, and Frank Molinari are awarded their costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B109631 People (Not for Publication)
v.
John Lee Shaw

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

November 19, 1997-Continued

DIVISION FIVE (Continued)

B104301 People (Not for Publication)
v.
Bert Silos, Jr.

The motion for relief from default is granted. The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B103470 People
v.
Tuaolo Faatiliga

Filed order modifying opinion. (No change in the judgment.)

B103038 People
v.
Billy Ray Mallard

Filed order denying petition for rehearing.

B112075 People (Not for Publication)
v.
Freddie Dewitt

Dismissed by opinion.

Turner, P.J.

We concur: Grignon, J.
Jackson, J. (Assigned)

DIVISION SIX

B109325 People (Not for Publication)
v.
Alvez

The trial court shall amend the abstract of judgment to reflect the orders of restitution and forward the amended abstract of judgment to the Department of Corrections. The judgment is affirmed.

Gilbert, J.

We concur: Stone, P.J.
 Coffee, J.

B110644 People (Not for Publication)
v.
Cass

The judgment is affirmed.

Yegan, J.

We concur: Stone, P.J.
Coffee, J.

B111333 Reese (Not for Publication)
v.
Yoo

The judgment is affirmed. Costs to respondent.

Yegan, J.

We concur: Stone, P.J.
 Coffee, J.

DIVISION SIX (Continued)

[illegible]

The trial court shall strike the one-year enhancement under section 667.5, subdivision (b), for the 1988 burglary conviction. It shall forward an amended abstract of judgment to the Department of Corrections. The judgment is otherwise affirmed.

Gilbert, J.

We concur: Stone, P.J.
 Coffee, J.

B110152 People (Not for Publication)
v.
Breese

The judgment is affirmed.

Yegan, J.

We concur: Stone, P.J.
 Gilbert, J.

B110138 Lavin
v.
Kirk-Moore Trucking

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed 3/4/97) dismissed.

DIVISION SEVEN

[illegible]

The judgment is affirmed.

Neal, J.

We concur: Johnson, Acting P.J.
Woods, J.

B110803 People (Not for Publication)
v.
Laurelle Marie B., a minor

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Johnson, J.

B108201 Martin (Certified for Publication)
v.
Workers' Compensation Appeals Board
Hughes Aircraft Company

The WCAB's order finding the statements are privileged is annulled, and the matter is remanded to the WCAB to return it to the WCJ for further proceedings as indicated in this opinion.

Woods, J.

We concur: Johnson, Acting P.J.
 Neal, J.

November 19, 1997-Continued

DIVISION SEVEN (Continued)

B106666 People (Not for Publication)
v.
Lara

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

[illegible]

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
Neal, J.

B104943 People (Not for Publication)
v.
Govind

The judgment of the Superior Court is affirmed in its entirety.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

DIVISION SEVEN (Continued)

B101769 Allstate Insurance Company (Not for Publication)

v.

State Farm Fire & Casualty

The judgment is affirmed. Respondents to recover their costs of appeal.

Woods, J.

We concur: Lillie, P.J.

Johnson, J.

B111011 Bradford (Not for Publication)

v.

Time Warner, Inc.

The order is affirmed. Respondents to recover costs on appeal.

Woods, J.

We concur: Johnson, Acting P.J.

Neal, J.

B100046 Clevenger (Not for Publication)

v.

Rodri

The judgment is affirmed. Respondent to recover costs on appeal.

Woods, J.

We concur: Lillie, P.J.

Neal, J.

DIVISION SEVEN (Continued)

B108883 Lockheed-Martin Corp. (Not for Publication)
 v.
 Sasaki

The judgment is affirmed. Respondent to recover costs on appeal.

Woods, J.

We concur: Johnson, Acting P.J.
 Neal, J.